EXECUTIVE COUNCIL OF IOWA AGENDA

State Capitol - Robert D. Ray Conference Room (G09) 10:00 a.m.

March 25, 2019

- 1. Approval of minutes of meeting held March 4, 2019
- 2. Personal Appearance
 - A. Christie Templeton, Department of Human Services, will be present to request Resolution of Funds in the amount of \$1,100,000.00 pursuant to Iowa Code \$29C.20A with regard to Governor's Proclamation of a State of Disaster Emergency for Adair, Bremer, Buena Vista, Butler, Cerro Gordo, Cherokee, Clay, Clayton, Crawford, Dallas, Delaware, Dickinson, Emmet, Fayette, Franklin, Fremont, Guthrie, Hancock, Hardin, Harrison, Humboldt, Ida, Iowa, Kossuth, Mills, Monona, Montgomery, O'Brien, Page, Palo Alto, Plymouth, Pottawattamie, Shelby, Sioux, Tama, Webster, Winnebago, Winneshiek, Woodbury, Worth and Wright.

TAB #1

- B. Christie Templeton, Department of Human Services, will be present to request a transfer of \$21,921.92 to cover a shortage of funds and return a portion of unspent disaster grant funds issued during FY2018.

 TAB # 2
- 3. Iowa Code §7D.10 Page 1 TAB # 3
- 4. Leases Page 1
- 5. Payment of Cost Items (1 of 2) Page 1-6
- 6. Payment of Cost Items (2 of 2) Page 7
- 7. Iowa Code §7D.16 Page 7
 TAB # 4
- 8. Information Items Page 7

3. Iowa Code §7D.10

A. Attorney General's office request Payment for Expenses under Iowa Code §7D.10 in the amount of \$17,444.52.

TAB # 3

4. Leases

A. Lease between DNR and L.G. Everist Inc.

Date of Lease: January 1, 2019 to December 31, 2024

Legal Description: A portion of the bed of the Missouri River containing an area less than 500 ft², located approximately 1.5 miles south of the Interstate Highway 29 bridge at Missouri River Mile 727.3 at the Bridgeport Industrial Park, Sioux City, in the SW quarter of Section 13, Township 88 North, Range 48 West of the 5th P.M., Woodbury County, Iowa.

Purpose: Docking and mooring facility to load or unload its barges

Annual Fee: \$300.00

Michael J. Moss, Assistant Attorney General, has reviewed the above lease and approved the lease as to form.

5. Payment of Cost Items (1 of 2)

A. Department of Natural Resources......\$3,389.24 On May 6 & 7, 2018 there was a theft of machine shed equipment at the Volga River State Recreation Area. Request was to cover repair costs.

The State Auditor's Office has reviewed request and recommends payment, this represents full and final payment and this allocation closed.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$475.75 will be reverted and this allocation closed.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$8,650.00 will be reverted and this allocation closed.

D.	Department of Public Safety
	The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment and this allocation closed.
E.	Davis, Brown, Koehn, Shors & Roberts, P.C
	Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the IPERS.
F.	Davis, Brown, Koehn, Shors & Roberts, P.C
	Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Department of Justice.
G.	Richard J. Bennett, Sr
	Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Attorney General's Office's Forfeiture Fund.
H.	Gray Miller Persh, LLP\$2,502.00 1200 New Hampshire Ave., N.W. Washington, D.C. 20036 Iowa Public Television
	Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the funds of Iowa Public Television.

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I.	Davis, Brown, Koehn, Shors & Roberts, P.C
	Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the funds of Department of Transportation.
J.	Foley & Lardner, LLP\$1,896.20 321 North Clark Street, Suite 2800 Chicago, IL 60654-5313 Legal Advice to OCIO
	Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made by OCIO.
K.	Patterson Law Firm L.L.P
	Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.
L.	Patterson Law Firm L.L.P
	Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

M.	Patterson Law Firm L.L.P\$36.00 729 Insurance Exchange Building 505 Fifth Avenue	
	Des Moines, IA 50309-2390 Myra Ball v. Iowa Insurance Division, State of Iowa and Second Injury Fund of Iowa	
	Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.	
N.	Patterson Law Firm L.L.P	•
	Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.	
О.	Patterson Law Firm L.L.P	
	Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.	:
Р.	Patterson Law Firm L.L.P\$96.00 729 Insurance Exchange Building 505 Fifth Avenue Des Moines, IA 50309-2390 Mary Kimball v. Woodward Resource Center, State of Iowa and Second Injury Fund of Iowa	
	Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.	
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 Patterson Law Firm L.L.P
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Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

U. Patterson Law Firm L.L.P	
729 Insurance Exchange Building 505 Fifth Avenue Des Moines, IA 50309-2390 Donald E. Dietz v. Iowa Department of Transportation. State of Iowa and Second Injury Fund of Iowa Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund. V. Patterson Law Firm L.L.P	
recommends payment. Payment will be made from the Second Injury Fund. V. Patterson Law Firm L.L.P	729 Insurance Exchange Building 505 Fifth Avenue Des Moines, IA 50309-2390 Donald E. Dietz v. Iowa Department of Transportation, State of Iowa and
729 Insurance Exchange Building 505 Fifth Avenue Des Moines, IA 50309-2390 Joshua Garringer v. University of Iowa. State of Iowa and Second Injury Fund of Iowa Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund. W. Patterson Law Firm L.L.P	
recommends payment. Payment will be made from the Second Injury Fund. W. Patterson Law Firm L.L.P	729 Insurance Exchange Building 505 Fifth Avenue Des Moines, IA 50309-2390 Joshua Garringer v. University of Iowa, State of Iowa and Second Injury Fund
729 Insurance Exchange Building 505 Fifth Avenue Des Moines, 1A 50309-2390 James Conwell v. University of Iowa Hospitals and Clinics, State of Iowa and Second Injury Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund. X. Patterson Law Firm L.L.P	
recommends payment. Payment will be made from the Second Injury Fund. X. Patterson Law Firm L.L.P	729 Insurance Exchange Building 505 Fifth Avenue Des Moines, IA 50309-2390 James Conwell v. University of Iowa Hospitals and Clinics, State of Iowa and
729 Insurance Exchange Building 505 Fifth Avenue Des Moines, IA 50309-2390 Amy Wearmouth v. Iowa Correctional Institute for Women, State of Iowa and Second Injury Fund of Iowa Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.	
recommends payment. Payment will be made from the Second Injury Fund.	729 Insurance Exchange Building 505 Fifth Avenue Des Moines, IA 50309-2390 Amy Wearmouth v. Iowa Correctional Institute for Women, State of Iowa and
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6. Payment of Cost Items (2 of 2)

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the General Fund.

7. **Iowa Code §7D.16**

A. Director Chris Kramer of Iowa Department of Cultural Affairs requests permission to serve alcohol (wine, beer, signature alcohol cocktail and non-alcoholic beverages) and to provide samples (1 oz. pours) from Iowa beverage vendors in the Iowa State Capitol Building on Friday, December 13, 2019 for the 2019 Celebrate Iowa Gala.

TAB#4

8. Information Items

A. On April 16, 2018 the Executive Council approved an emergency allocation in the amount of \$29,742.66 for the Iowa Communications Network. The emergency allocation was for the event on January 8, 2018 for cable damage due to erosion in Iowa City near the ramp from Interstate 80 from Dubuque Street. The Iowa Communications Network has confirmed that they were able to repair the damaged area without relocating the cable and they have rescinded their claim. The State Auditor's Office has reviewed this request and recommends the claim be closed and revert the allocation of \$29,742.66 to the State Treasury.



Kim Reynolds, Governor

Adam Gregg, Lt. Governor

Jerry R. Foxhoven, Director

March 21, 2019

Victoria Newton, Executive Secretary Executive Council of Iowa State Capitol Building

Re: Governor's Proclamation of a State of Disaster Emergency - Request for Funds

Dear Ms. Newton:

On March 13, 2019, flooding and severe weather in Adair, Bremer, Buena Vista, Butler, Cerro Gordo, Cherokee, Clay, Clayton, Crawford, Dallas, Delaware, Dickinson, Emmet, Fayette, Franklin, Fremont, Guthrie, Hancock, Hardin, Harrison, Humboldt, Ida, Iowa, Kossuth, Mills, Monona, Montgomery, O'Brien, Page, Palo Alto, Plymouth, Pottawattamie, Shelby, Sioux, Tama, Webster, Winnebago, Winneshiek, Woodbury, Worth, and Wright Counties is causing damage.

Per the Governor's Disaster Proclamation, I am requesting funding for the Iowa Individual Assistance Grant Program (IIAGP) and Iowa Disaster Case Management Grant Program (IDCM) be placed on the Executive Council Agenda for Monday, March 25, 2019. The Iowa Department of Human Services is requesting the Executive Council adopt a Resolution for Funds in the amount of \$1,100,000.00 to be allocated as follows.

- \$300,000.00 for IIAGP for Butler, Cerro Gordo, Clayton, Hancock, Harrison, Humboldt, Ida, Iowa, Kossuth, Mills, Monona, Montgomery, O'Brien, Pottawattamie, Sioux, Webster, Winnebago, Winneshiek, Woodbury, Worth, and Wright Counties
- \$230,000.00 for IDCM for Butler, Cerro Gordo, Clayton, Hancock, Harrison, Humboldt, Ida, Iowa, Kossuth, Mills, Monona, Montgomery, O'Brien, Pottawattamie, Sioux, Webster, Winnebago, Winneshiek, Woodbury, Worth, and Wright Counties
- \$200,000.00 for IIAGP for Adair, Bremer, Buena Vista, Cherokee, Clay, Dallas, Dickinson, Emmet, Fayette, Franklin, Fremont, Guthrie, Hardin, Plymouth, and Shelby Counties
- \$160,000.00 for IDCM for Adair, Bremer, Buena Vista, Cherokee, Clay, Dallas, Dickinson, Emmet, Fayette, Franklin, Fremont, Guthrie, Hardin, Plymouth, and Shelby Counties
- \$150,000.00 for IIAGP for Crawford, Delaware, Page, Palo Alto, and Tama Counties
- \$60,000.00 for IDCM for Crawford, Delaware, Page, Palo Alto, and Tama Counties

Pursuant to lowa Code 29C.20A these funds will be distributed to individuals or families to replace/repair items affected by the disaster emergency which cannot be met by other means of financial assistance. Pursuant to lowa Code 29C.20B funding will be distributed to Disaster Case Management to help individuals or families with unmet needs that were affected by the disaster to establish a recovery plan.

The account coding for the funds to be transferred will be:

Dept	Fund	Appr	<u>Org</u>
401	0391	0000	1916 State Only Disaster IIAGP - 21 Counties (3/13/19)
401	0391	0000	6028 State Only Disaster IDCM - 21 Counties (3/13/19)
401	0391	0000	1917 State Only Disaster IIAGP –15 Counties (3/13/19)
401	0391	0000	6029 State Only Disaster IDCM -15 Counties (3/13/19)
401	0391	0000	1918 State Only Disaster IIAGP – 5 Counties (3/13/19)
401	0391	0000	6030 State Only Disaster IDCM - 5 Counties (3/13/19)

Thank you for your assistance.

Sincerely.

Jerry R. Foxhoven

Director

cc: Vern Armstrong, Department of Human Services
Christie Templeton, Department of Human Services
Harry Rossander, Department of Human Services
Barb DeJoode, Department of Human Services
Robert Beran, Department of Human Services
Trudy Crawford, Department of Human Services
Linda Leto, Department of Management



Kim Reynolds, Governor

Adam Gregg, Lt. Governor

Jerry R. Foxhoven, Director

March 21, 2019

Victoria Newton, Executive Secretary Executive Council of Iowa State Capitol Building LOCAL

Re: Governor's Proclamation of a State of Disaster Emergency - Return of Funds

Dear Ms. Newton:

I would like to return a portion of unspent disaster grant funds issued during FY2018. While balancing each of the org codes, a shortage of funds was noticed for org 1804 in the amount of -\$10,447.54 and 1806 in the amount of -\$11,474.38. I am requesting the transfer of \$21,921.92 from org 1802 to cover the shortage of funds.

Pursuant to lowa Code 29C.20A funds were allocated to be distributed to individuals or families to replace/repair items affected by the disaster emergency which cannot be met by other means of financial assistance. Pursuant to lowa Code 29C.20B funds were allocated to be distributed to Disaster Case Management to help individuals or families with unmet needs that were affected by the disaster to establish a recovery plan. The amounts to be returned were not expended for the aforementioned purposes.

The following is a summary of some of FY2018 events.

Dont	Fund	Appr	Ora	Authorized	Expenditures	Return	Council Approved Date
<u>Dept</u> 401	0391	0000	6004	\$100,000.00	\$22,578.03	\$77,421.97	August 7, 2017
401	0391	0000	1800	\$100,000.00	\$88,038,14	\$11,961.86	July 31, 2017
401	0391	0000	6002	\$50.000.00	\$26,027.56	\$23,972.44	July 31, 2017
401	0391	0000	1801	\$200.000.00	\$184,492.36	\$15,507.64	July 31, and October 9, 2017
401	0391	0000	6003	\$50.000.00	\$37,561.81	\$12,438.19	July 31, 2017
401	0391	0000	1802	\$100.000.00	\$51,438,29	\$26,639.79	July 31, 2017
					54 and 1806 \$11,		54,7 5 11 25 17
401	0391	0000	6005	\$50,000.00	\$18,578.40	\$31,421.60	July 31, 2017
401	0391	0000	1803	\$185,000.00	\$180,860.81	\$4.139.19	June 25, October 8, and November 19 2018
401	0391	0000	6006	\$80,000.00	\$23,158.89	\$56.841.11	June 22, 2018
401	0391	0000	6007	\$30,000.00	\$4,025.73	\$25,974.27	July 2, 2018
401 401	0391	0000	1805	\$175,000.00	\$172,173.95	\$2,826,05	July 2, 2018 and September 4, 2018
	0391	0000	6008	\$100.000.00	\$24.788.87	\$75,211.13	July 2, 2018
401	• -	0000	6010	\$60,000.00	\$13,948.73	\$46.051.27	July 2, 2018
401	0391		1807	\$50,000.00	\$18,579.69	\$31,420,31	July 2, 2018
401	0391	0000		\$30,000.00	\$3.794.93	\$26,205.07	July 2, 2018
401	0391	0000	6011	• • • • • • • •	\$27.030.56	\$22,969,44	July 2, 2018
401	0391	0000	1808	\$50,000.00	• •		July 2, 2018
401	0391	0000	6012	\$20,000.00	\$5,272.53	\$14,727.47	July 2, 2010

Total

\$505,728.80

Thank you.

Sincerely,

derry Refoxboven

Director

cc: Vern Armstrong, Department of Human Services
Christie Templeton, Department of Human Services
Harry Rossander, Department of Human Services
Barb DeJoode, Department of Human Services
Robert Beran, Department of Human Services
Trudy Crawford, Department of Human Services
Linda Leto, Department of Management

THOMAS J. MILLER ATTORNEY GENERAL

ERIC TABOR
CHIEF DEPUTY ATTORNEY GENERAL



1305 E. WALNUT ST.
DES MOINES, IA 50319

Main: 515-281-5164 • Direct: 515-281-5191
Email: Eric.Tabor@ag.iowa.gov
www.iowaattorneygeneral.gov

March 7, 2019

Ms. Victoria Newton Executive Secretary Executive Council State Capitol L-O-C-A-L

Re: Request for Payment of SVP Court Costs

Dear Victoria:

Our Office requests Executive Council approval for payment pursuant to Iowa Code section 7D.10 for court costs and expenses incurred in prosecuting civil commitments under Iowa Code chapter 229A for the Sexually Violent Predator (SVP) program.

In addition to the cost of employee salaries, travel and support devoted to this program, the Office incurs substantial expenses for expert witnesses. These expenses have increased substantially due to the growing number of chapter 229A commitments. Section 7D.10 authorizes payment of court costs and expenses by the Executive Council "[i]f sufficient funds for court costs have not been appropriated to a state department, or if sufficient funds are not otherwise available for such purposes within the budget of a state department." There is no specific appropriation for these expenses and sufficient funds are not otherwise available.

Therefore, pursuant to Iowa Code section 7D.10, the Office requests Executive Council approval of payment of \$17,444.52 in expert witness fees (invoices enclosed).

Sincerely yours,

ERIC TABOR Chief Deputy

Encl.

IOWA DEPARTMENT OF CULTURAL AFFAIRS

CHRIS KRAMER, DIRECTOR

KIM REYNOLDS, GOVERNOR ADAM GREGG, LT. GOVERNOR

KOWA ARTS COUNCIL

PRODUCE KOVA

STATE HISTORICAL STORETY OF TOWA

STATE HISTORICAL MUSEUM OF IOWA

STATE MISTORICAL LIENARY & ARCHIVES

STATE HISTORIC SITES

STATE MISTURIC PRESERVATION OFFICE OF IOWA

SOVA HISTORICAL FORMULATION March 13, 2019

Iowa State Capitol 1007 E Grand Ave Des Moines, IA 50319

Memorandum to:

Executive Council, State of Iowa

The Honorable Kim Reynolds, Governor

Paul D. Pate, Secretary of State

Michael L. Fitzgerald, Treasurer of State Mike Naig, Secretary of Agriculture

Rob Sand, Auditor of State

Subject: The Iowa Department of Cultural Affairs respectfully requests to serve alcohol (wine, beer, signature alcohol cocktail and non-alcoholic beverages) and to provide samples (1 oz pours) from Iowa beverage vendors in the Iowa State Capitol Building on Friday, December 13, 2019 for the 2019 Celebrate Iowa Gala.

The Iowa Department of Cultural Affairs (DCA) is a state agency organized under Chapter 303 of the Iowa Code. The DCA impacts Iowans through its divisions: the State Historical Society of Iowa, the State Historic Preservation Office, the Iowa Arts Council, and Produce Iowa, the State Office of Media Production.

The DCA's mission is to empower lowa to build and sustain culturally vibrant communities by connecting lowans to the people, places and points of pride that define our state.

With the various levels of approval, we plan on holding the Celebrate Iowa Gala at the Iowa State Capitol on Friday, December 13, 2019 from 6pm - 11pm. Our Gala is an all-Iowa event showcasing live entertainment from Iowa musicians and artists along with unique Iowa cuisine and cocktails that will be catered in. We anticipate more than 700 guests from all across the state will attend the gala, including public officials; arts, history and cultural leaders; artists and musicians; filmmakers and media; corporate and civic leaders; and young professionals.

The proceeds from our gala support programs, exhibits and initiatives of the State Historical Society of Iowa and the State Historical Museum of Iowa that share our state's rich history and culture.

Thank you for your consideration,

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Chris Kramer

Director

Iowa Department of Cultural Affairs

Peri Montufar

Community Engagement Manager lowa Department of Cultural Affairs